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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,017	11/05/2001	Rick L. Siekmann	072601.1	7924

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EXAMINER

HANNE, SARA M

ART UNIT PAPER NUMBER

2173

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/007,017

Applicant(s)

SIEKMANN, RICK L.

Examiner

Sara M Hanne

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/21/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claim 1-5, 7-11, 14, 19-20 and 24 rejected under 35 U.S.C. 102(a) as being anticipated by Alloul et al., US Patent 6032130.

As in Claim 1, Alloul et al. teaches an apparatus for providing pertinent product/service information to a buyer, comprising a portable storage medium (CD-Rom, Column 2, line 20), a processor for controlling the portable storage medium (multimedia personal computer, Column 2, lines 21-22), the portable storage medium for storing at least the following product/service information types (Column 2, lines 47-52), wherein each one of the product/service information types has entries including a directory including one or more businesses offering the product/service (menu system Column 10, lines 47-51), descriptive information of the products/services offered by the one or more businesses ("written information", Column 5, line 61), advertisements of the products/services offered by the one or more businesses (Column 7, lines 20-24), links to external information not available on the portable storage medium related to the products/services offered by a business (Column 2, lines 54-57), a

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search engine for searching the entries of the information types through buyer-provided commands to the processor for identifying the pertinent entries ("search engines for finding a specific item ...", Column 10, lines 43-44) and a display for displaying the pertinent entries through user-provided commands to the processor (Figure 2, Ref. 12).

As in Claim 2, Alloul et al. teaches an information type of generic product/service information (Column 4, line 64 et seq.).

As in Claim 3, Alloul et al. teaches wherein the external information is available at a website (Column 1, lines 31-34).

As in Claim 4, Alloul et al. teaches wherein the portable storage medium is a CD-ROM (Column 2, line 19).

As in Claim 5, wherein the user provided commands to the search engine include commands for searching the directory to identify entries from those comprising business offering a product/service desired by the buyer (Column 7, lines 20-32, Column 10, lines 42-46).

As in Claim 7, Alloul et al. teaches the user provided commands to the search engine for searching the directory to identify entries comprising business offering a product/service within a category of product/service desired by the buyer (Column 7, lines 20-32 and Column 10, lines 42-46).

As in Claim 8, Alloul et al. teaches commands for searching descriptive information for a product/service desired by the buyer (Column 10, lines 58-66).

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As in Claim 9, Alloul et al. teaches displaying product/service ads related to pertinent entries (product information like pricing is an advertisement and is displayed pertaining to the selected entries, Column 10, lines 33-34 and 53-56).

As in Claim 10, Alloul et al. teaches the pertinent entries include an entry from the directory, and wherein the displayed product/service advertisements are related to the entry from the directory (Column 10, line 52-56).

As in Claim 11, Alloul et al. teaches the product/service advertisements change over time (time-variable information).

As in Claim 14, Alloul et al. teaches the product/service information is related to the targeted needs of the buyer (specified and displayed by search engine).

As in Claim 19, Alloul et al. teaches the directory entry includes a buyer-selectable link to other information type entries related to the directory entry (links to add that product to the shopping cart, Column 8, lines 39-43).

As in Claim 20, Alloul et al. teaches the other information types are selected from among directory entries, descriptive information entries, external information entries and generic information entries (Column 8, lines 60-63).

As in Claim 24, Alloul et al. teaches an information management system for providing information to a user related to one or more products/services, the information management system comprising: a computer processor under user control for processing and presenting information (PC or kiosk); a storage media for storing static product/service information (CD-Rom information does not change); a communications device for accessing additional product/service

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information external to the storage media (web server); an input device for providing user-selected commands to the processor for manipulating the static and the additional information (search engine); and a display device for displaying the static and the additional information in response to user-issued commands to the processor (See also, Claim 1 rejection *supra*).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 12 is rejected under 35 U.S.C. 102(a) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Alloul et al., US Patent 6032130.

It appears that the displaying of selected items with "greater prominence" , such as highlighting, is inherently included in the Alloul et al. teaching. Further because the selection of a product produces additional information (from the external source) about that product to be displayed distinguishing it from other products. Even if it is not, the limitation of "greater prominence" given to selected items is well known. One of ordinary skill in the art would have been to motivated to make such a combination because a visual distinguishable feature for items in focus would have been obtained.

5. Claims 13, 15-18 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alloul et al., US Patent 6032130.

As in Claim 13, Alloul et al. teaches the portable storage medium for storing product/service information including a directory, descriptive information, advertisements, and links to external information as well as a processor for controlling such information and a search engine for accessing required information to be displayed. Alloul et al. also teaches greater prominence for selected features as seen in Claim 12 rejection *supra*. While Alloul et al. teaches this information to be portably stored and accessed while representing selected items with greater prominence, they fail to show the selected advertisements to be displayed with a greater prominence over time. Displaying selected items with a greater prominence over time, such as by sorting or color coding based on frequency of use, etc. is well known. It would have been obvious to one of ordinary skill in the art to modify the prominence display of selected advertisements from portable storage to include the time-varying prominence feature such as sorting or color coding based on frequency of use, etc. One would have been motivated to make such a combination because a visually distinguishable feature for displaying items pertinent to the user would have been obtained.

As in Claim 15, Alloul et al. teaches the portable storage medium for storing product/service information including a directory, descriptive information, advertisements, and links to external information as well as a processor for

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controlling such information and a search engine for accessing required information to be displayed. While Alloul et al. teaches this information to be portably stored and accessed through processor search engines, they fail to show the product/service information relating to the homeowner relocation process as recited in the claims. The home owner relocation process is a process of product/service information presenting homes (products) to be displayed (on the CD Rom catalogue) to be searched and selected. It would have been obvious to one of ordinary skill in the art, having the teachings of Alloul et al. at the time the invention was made, to modify the portable storage medium for products/services with a directory, descriptive information, advertisements and external links, as well as searching capabilities taught by Alloul et al. to include real estate data and the products/services available, in order to obtain a portable storage and access of real estate information. One would have been motivated to make such a combination because an interactive distributable database for locating homes for sale would have been obtained.

As in Claim 16, Alloul et al. teaches directory entries related to the pertinent product/service information displayed and product/service advertisement entries related to pertinent product/service information displayed (advertising displayed in the newsletter, product/service information in browsing area, Column 7, lines 18-22). Alloul et al. fails to teach two separate regions on the display for the information and the ads as recited in the claims. Within the field of the invention, it would be obvious to one of ordinary skill in the art to have separate regions on the display for the two pieces of information. One would

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have been motivated to make such a combination because a distinguishable separation of the items for entry to the shopping cart, and advertising data would have been obtained.

As in Claims 17 and 22, Alloul et al. teaches the portable storage medium for storing product/service information including a directory, descriptive information, advertisements, and links to external information as well as a processor for controlling such information and a search engine for accessing required information to be displayed. While Alloul et al. teaches this information to be portably stored and accessed through processor search engines, they fail to show the ads to be buyer selectable links to website information as recited in the claims. Within the field of the invention, it would be obvious to one of ordinary skill in the art to have the advertisement entries link by buyer selection to the related external information from the site. One would have been motivated to make such a combination because a system capable of accessing updated information about an ad at the user's disposal would have been obtained.

As in Claim 18, Alloul et al. teaches the other information types directory entries, descriptive information entries, external information entries and generic information entries (See Claim 20 *supra*).

As in Claim 21, Alloul et al. teaches the descriptive information entries comprise interactive entries, photograph entries ("still images", Column 1, line 66), video entries ("on-line video connection" Column 7, lines 5-6), audio entries ("sound", Column 1, line 66), multimedia entries (multimedia catalogs), textual entries ("text", Column 1, line 65), printable entries (text is printable), email

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address entries and website address entries (web access requires address entries and email entries for a location to submit the order form). Alloul et al. fails to teach Graphical entries as recited in the claims. Within the field of the invention, it would be obvious to one of ordinary skill in the art to include graphical entries for display. One would have been motivated to make such a combination because a way to describe product or service usage or utility to entice the user would have been obtained.

As in Claim 23, Alloul et al. teaches the portable storage medium for storing product/service information including a directory, descriptive information, advertisements, and links to external information as well as a processor for controlling such information and a search engine for accessing required information to be displayed. While Alloul et al. teaches this information to be portably stored and accessed through processor search engines, they fail to show the tracking of user responses as recited in the claims. Within the field of the invention, it would have been obvious to one of ordinary skill in the art to include the website tracking method for the links to the external information selected by the buyer as in Claim 23. One would have been motivated to make such a combination because a system capable of monitoring advertisement quality would have been obtained.

6. Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alloul et al., US Patent 6032130, and further in view of Begum, US Patent 6177880.

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Alloul et al. teaches the portable storage medium for storing product/service information including a directory, descriptive information, advertisements, and links to external information as well as a processor for controlling such information and a search engine for accessing required information to be displayed. While Alloul et al. teaches this information to be portably stored and accessed through processor search engines, they fail to show alphabetical searching of the directory as recited in the claims. In the same field of the invention, Begum teaches an interactive shopping method to be displayed and controlled by a user similar to that of Alloul et al. In addition, Begum further teaches searching the directory alphabetically (Column 10, lines 48-51) as in Claim 6. It would have been obvious to one of ordinary skill in the art, having the teachings of Alloul et al. and Begum before him at the time the invention was made, to modify the portable storage medium for products/services with a directory, descriptive information, advertisements and external links, as well as searching capabilities taught by Alloul et al. to include the alphabetic searching method of Begum, in order to obtain a consecutive listing of products to be searched. One would have been motivated to make such a combination because an ordered directory would have been obtained so that it is capable of being searched, as taught by Begum.

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Conclusion

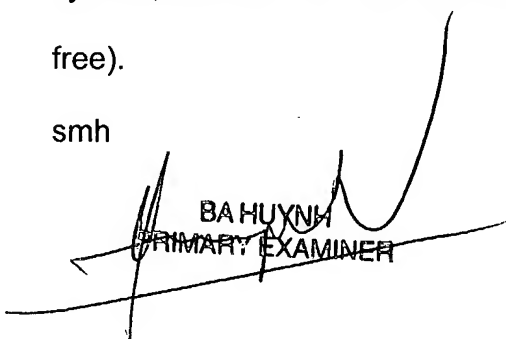
The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar product/service storage mediums and search methods thereon.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (703) 305-0703. The examiner can normally be reached on M-F 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smh


BA HUYNH
PRIMARY EXAMINER